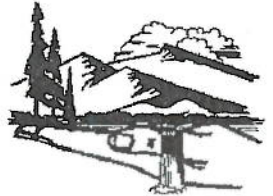




Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

August 11, 2015

Certified #7013 2630 0001 0390 8359
Return Receipt Requested

John Pfeffer
Sinclair Wyoming Refining Co.
P.O. Box 277
Sinclair, WY 82334

RE: Issuance of Notice of Violation (NOV)

Dear Mr. Pfeffer:

Enclosed is a NOV issued for violations of the Wyoming Hazardous Waste Rules and Regulations (HWRR), and the facility's permit.

Due to the seriousness of these violations the department is issuing this NOV, and is determined to seek a penalty.

If you have any questions regarding this letter, the attached NOV, or would like to schedule a meeting to discuss settlement, please contact Mr. Charles Plymale in our Lander office at (307)335-6951, or Bob Breuer in our Casper office at (307) 473-3454.

Sincerely,

Luke Esch
Administrator
Solid and Hazardous Waste Division

Enclosure: NOV

C: Bob Breuer, I&C Program Manager, WDEQ/SHWD Casper Office, File #40.025
Charlie Plymale, I&C Program Principal, WDEQ/SHWD Lander Office, File #40.025
Matt Bucholz, HWP&CA, WDEQ/SHWD Cheyenne Office, File # 40.025

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH	ABANDONED MINES	AIR QUALITY	INDUSTRIAL SITING	LAND QUALITY	SOLID & HAZ. WASTE	WATER QUALITY
(307) 777-7758	(307) 777-6145	(307) 777-7391	(307) 777-7369	(307) 777-7756	(307) 777-7752	(307) 777-7781
FAX 777-7682	FAX 777-6462	FAX 777-5616	FAX 777-5973	FAX 777-5864	FAX 777-5973	FAX 777-5973



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY (WDEQ)
STATE OF WYOMING

IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:

SINCLAIR WYOMING REFINING CO. (file No.))	
40.025))	
100 E Lincoln Highway)	DOCKET NO. 5575-15
SINCLAIR, WY 82334)	
)	

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. On January 26, at approximately 9:30 am, free oil was discovered on the serpentine section of the Active effluent canal, downstream of where primary oil separation and secondary treatment should have occurred as required in the permit as discussed below.

On January 28, 2015 spill report #150128 165210 was submitted by Sinclair Wyoming Refining Co. (SWRC) notifying WDEQ of an oil release from the facility's waste water treatment system.

On February 3, 2015, SWRC submitted the required five day investigation report identifying the root cause of the release was a pump seal failure on the #4 HDS, which resulted in oil being released to the oil/water sewer. The oil was able to bypass parts of the wastewater treatment system due to a failed level gauge in the Dissolved Gas Flootation (DGF) Unit. The oil/water separation trough in the unit was determined to need service. The series of events allowed oil/water to pass through the unit without being separated. The oil/water was then discharged from the Aggressive Biological Treatment Unit (ABTU) cells into the effluent canal. The oil was contained in the serpentine section of the effluent canal before entering the evaporation ponds.

2. As a result of the release, the following violations of the HWRR and SWRC's permit were identified:

Count 1: [HWRR, Chapter 4, Section 1(a)(v)],[SWRC, Permit Part I (I.D.)(6)]

HWRR, Chapter 4, Section 1(a)(v) requires that the permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

As a result of a pump seal failure, oil was released to the oil/water sewers. The oil was able to bypass part of the waste water treatment system due to a failed level gauge in the DGF Unit. The oil/water separator then failed to separate the oil from the water at the ABTU. The ABTU cell emergency back-up oil containment/recovery system also failed, allowing oil to be discharged from the ABTU.

Therefore, SRWC failed to maintain all systems of treatment and control to achieve compliance with the conditions of the permit. The back-up systems also failed to separate the oil to achieve compliance with the permit condition resulting in the release of oil into the effluent canal.

Count 2: [SWRC, Permit Part IV (B).D.5]



SWRC's Permit requires that the permittee shall take necessary steps to prevent oil from entering the ABTU. A floating baffle shall be installed near the inlet to the first ABTU cell as an emergency back-up oil containment/recovery system. The area enclosed by the floating baffle in the first cell shall encompass no more than 10% of the area of the cell. Any oil entering the ABTU must be removed daily.


Due to a series of events an estimated 150 barrels of oil was released into the oil/water sewer. Oil was able to bypass parts of the waste water treatment system allowing oil/water to exit the ABTU cells. From the ABTU, oil/water discharged into the effluent canal. The oil was stopped at the serpentine section of the canal before entering the evaporation ponds. Vacuum trucks recovered an estimated 150 bbls. of oil from the serpentine section, returning the oil back into the refining process.

SWRC, failed to prevent oil from entering the ABTU as required by the permit.

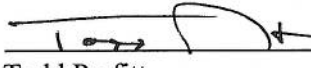
3. ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and

4. THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 35-11-701(c) which requires that in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

Signed this 11th day of AUGUST, 2015.



Luke J. Esch
Administrator
Solid and Hazardous Waste Division



Todd Parfitt
Director
Department of Environmental Quality